

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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AGENDA

Congestion Management & Environmental Quality (CMEQ) Committee

Date: Monday, September 26, 2011 at 3:00 p.m.
Place: San Mateo City Hall
330 West 20th Avenue, San Mateo, California
Conference Room C (across from Council Chambers)

PLEASE CALL Sandy Wong (599-1409) IF YOU ARE UNABLE TO ATTEND.

- | | | | |
|----|--|-------------------------------------|--------------|
| 1. | Public comment on items not on the agenda | Presentations are limited to 3 mins | |
| 2. | Minutes of August 29, 2011 meeting. | Action (Pierce) | Pages 1 - 4 |
| 3. | Review and recommend approval of the Proposed 2012 State Transportation Improvement Program (STIP) for San Mateo County. | Action (Higaki) | Pages 5 - 7 |
| 4. | Review and comment on the draft Commute Pre-Tax Benefits Model Ordinance | Action (Kott) | Pages 8 - 13 |
| 5. | Executive Director Report | Information (Napier) | |
| 6. | Member comments and announcements. | Information (Pierce) | |
| 7. | Adjournment and establishment of next meeting date:
October 31, 2011. | Action (Pierce) | |

NOTE: All items appearing on the agenda are subject to action by the Committee.
Actions recommended by staff are subject to change by the Committee.

NOTE: *Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Nancy Blair at 650 599-1406, five working days prior to the meeting date.*

Other enclosures/Correspondence - None

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS COMMITTEE ON
CONGESTION MANAGEMENT AND ENVIRONMENTAL QUALITY (CMEQ)**

**MINUTES
MEETING OF AUGUST 29, 2011**

The meeting was called to order by Chair Pierce in Conference Room A at City Hall of San Mateo at 3:03 pm.

Attendance sheet is attached.

1. Public comment on items not on the agenda.

Dean Peterson, San Mateo County Environmental Health, announced the “Plastic Bag Ban Workshop” scheduled for September 27, 2011 at 1:00 PM at the County Government Center. Chair Pierce suggested Mr. Peterson if interested, to make a presentation to the CMEQ committee to share experience.

2. Minutes of June 27, 2011 meeting.

*Motion: To approve the Minutes of the June 27, 2011 meeting, Bigelow/Lloyd.
Motion carried unanimously.*

3. Review and recommend approval of the Draft 2012 State Transportation Improvement Program (STIP) for San Mateo County.

Jean Higaki presented the Draft 2012 STIP for San Mateo County and answered specific questions from CMEQ members. Upon recommendation from the CMEQ committee, this Draft will be forwarded to the C/CAG Board for review. A final version will be brought back to CMEQ committee for review next month.

Motion: To recommend approval of the Draft 2012 State Transportation Improvement Program (STIP) for San Mateo County, Bigelow/Roberts. Motion carried unanimously.

4. Review and recommend approval of the Draft 2011 Congestion Management Program (CMP) and Monitoring Report.

John Hoang presented the Draft 2011 CMP and Monitoring Report. CMEQ members had the following comments:

- Page 9 – need to change the color for clarification.
- Need to watch the VTA travel forecast model for transit ridership accuracy.
- Make reference to coordination with SMCTA on funding of capital projects.
- Look for solutions to congestion, particularly at those locations where simple fix such as signage could help.
- Based on the monitoring results, it is clear that congestion is not going away. Should seek alternative modes of transportation.

Sandy Wong commented that there is a study underway to evaluate potential solutions to the US101/Route 92 interchange vicinity, and asked if CMEQ members would be interested to receive a presentation on that study. The answer was affirmative.

Motion: To recommend approval of the Draft 2011 Congestion Management Program (CMP) and Monitoring Report, Lloyd/Bigelow. Motion carried unanimously.

5. Receive information on San Mateo County shuttle marketing practices (Information).

In response to CMEQ committee request at the June meeting, Tom Madalena provided information gathered from several cities as examples on shuttle marketing practices. Detail information is as shown in the staff report.

6. C/CAG Response to the MTC “OneBayArea Grant – Cycle 2 STP/CMAQ Funding” Proposal (Information).

Jean Higaki provided an update on the C/CAG comments submitted to the Metropolitan Transportation Commission (MTC) on the OneBayArea block grant proposal.

Member Patridge voiced her dissatisfaction on the block grant proposal requiring 70% of all funding be directed to PDAs. Because that would result in smaller jurisdictions in San Mateo County not being able to receive the STP/CMAQ funding commitment due from Cycle 1. She suggested that MTC should not change policy half way into the Federal Transportation Funding Act.

7. Receive an update on ramp metering turn-on along southbound I-280 between Daly City and San Bruno (Information).

Sandy Wong announced the metering lights along southbound 280 between Daly City and San Bruno will be turned on starting August 30th. Ramp metering is a program the CMEQ committee worked on a few years ago. CMEQ, through the C/CAG Board, authorized the implementation of this program.

8. Executive Director Report.

Richard Napier, Executive Director, urged jurisdictions to make an appointment to serve on the Sub-RHNA/SCS Policy Committee. He also announced that C/CAG has signed a contract with HARA to provide services on climate action template.

9. Member comments and announcements.

- Member Papan announced the Millbrae Art & Wine Festival this weekend.
- Member Richardson suggested to list the C/CAG website on agenda.

10. Adjournment and establishment of next meeting date.

The next regular meeting was scheduled for September 26, 2011.

Meeting was adjourned at 4:20 pm.

	CMEQ 2011 Attendance Record					
Name	Jan 31	Feb 28	Mar 28	Apr 25	Jun 27	Aug 29
Arthur Lloyd	Yes		Yes	Yes	Yes	Yes
Barbara Pierce	Yes	Yes	Yes	Yes	Yes	Yes
Daniel Quigg				Yes		
Gina Papan		Yes	Yes		Yes	Yes
Irene O'Connell	Yes	Yes	Yes	Yes		
Jim Bigelow	Yes		Yes	Yes	Yes	Yes
Kevin Mullin	NA	NA	NA	Yes	Yes	
Lennie Roberts	Yes	Yes	Yes	Yes	Yes	Yes
Linda Koelling	Yes	Yes	Yes	Yes	Yes	Yes
Naomi Patridge	Yes	Yes	Yes	Yes		Yes
Onnolee Trapp	Yes	Yes	Yes		Yes	
Richard Garbarino	Yes	Yes	Yes	Yes		Yes
Sepi Richardson	Yes	Yes	Yes		Yes	Yes
Steve Dworetzky	Yes	Yes	Yes			
Zoe Kersteen- Tucker		Yes	Yes	Yes	Yes	
Vacant						
Other attendees at the August 29, 2011 meeting:						
R Napier, S Wong, JHigaki, JHoang, TMadalena -						
Dean Peterson - SM County Environmental Health						

C/CAG AGENDA REPORT

Date: September 26, 2011

To: Congestion Management and Environmental Quality Committee (CMEQ)

From: Jean Higaki, Transportation System Coordinator

Subject: Review and recommend approval of the Proposed 2012 State Transportation Improvement Program (STIP) for San Mateo County.

(For further information or questions contact Jean Higaki at 599-1462)

RECOMMENDATION

That the C/CAG Congestion Management and Environmental Quality Committee (CMEQ) review and recommend approval of the Proposed 2012 State Transportation Improvement Program (STIP) for San Mateo County.

FISCAL IMPACT

None to the direct C/CAG budget.

SOURCE OF FUNDS

The 2012 State Transportation Improvement Program (STIP) fund will come from State and Federal fund sources.

BACKGROUND/DISCUSSION

C/CAG is the designated agency responsible to develop the regional share of the State Transportation Improvement Program (STIP) for San Mateo County. STIP candidate projects must be consistent with the Regional Transportation Plan as well as the County's Congestion Management Plan. In addition, projects must have an approved Project Study Report (PSR) or PSR Equivalent.

The STIP is a five-year document adopted every two years that displays commitments of transportation funds for improving highway, transit, and other transportation systems. On June 22, 2011, Caltrans presented the draft STIP Fund Estimates for the five-year STIP period (FY 2012/13 through FY 2016/17) to the California Transportation Commission (CTC). The CTC adopted the estimate at their August 10, 2011 meeting.

The adopted 2010 STIP covered the period between FY 2009/10 through 2014/15. Funds previously programmed for highway and transit projects as adopted in the 2010 STIP are still committed.

Staff collaborated with the San Mateo County Transportation Authority (SMCTA) and Caltrans staff and recommend the Proposed Draft 2012 STIP as attached.

On August 18, 2011, the draft 2012 STIP was presented to the Congestion Management Technical Advisory Committee (TAC) for review. The TAC recommended approval of the proposed draft 2012 STIP.

On August 29, 2011, the draft 2012 STIP was presented to the Congestion Management and Environmental Quality Committee (CMEQ) for review. The CMEQ recommended approval of the proposed draft 2012 STIP.

On September 8, 2011 the draft 2012 STIP was presented to the C/CAG Board for approval. The C/CAG Board recommended approval of the proposed draft 2012 STIP.

Since the CMEQ approved the draft 2012 STIP the following changes have been made.

- The numbers that were released earlier, based on the draft Fund Estimate, were inflated. It is expected that San Mateo County will be able to program approximately \$758,000 less from the original ~\$20.3 mil of funds added to the 2012 STIP. The reduced programming is directed to the Countywide ITS Project.
- SMCTA has requested a change to move the SR 1 Calera Parkway funds in one year from FY 14/15 to FY 13/14 to accommodate the current project schedule. This change was presented to the Board on September 8, 2011.
- \$1.9 million is moved from the Countywide ITS Project to Smart Corridors Project to complete funding for construction to the Santa Clara county line.

On September 15, 2011 the Proposed 2012 STIP, which included the changes above, was presented to the (TAC) for approval. The TAC recommended approval of the Proposed 2012 STIP.

Upon approval by the C/CAG Board, the Proposed 2012 STIP for San Mateo County will be forwarded to the Metropolitan Transportation Commission (MTC) for inclusion in the Bay Area regional STIP proposal. If approved by the MTC as scheduled in November 2011, the proposal will be forwarded to the California Transportation Commission (CTC) for approval in December 2011. During the coming months, it is anticipated Bay Area-wide and statewide negotiations will take place regarding the exact amount of funds available for each county in each fiscal year.

ATTACHMENT

- Summary of Proposed 2012 STIP for San Mateo County

SUMMARY of PROPOSED 2012 STIP FOR SAN MATEO COUNTY

(\$1,000's)

Lead Agency	Rte	PPNO	Project	Total	(Info Only) Prior Year	(Info Only) 11-12	12-13	13-14	14-15	15-16	16-17
Caltrans	101	658B	Auxiliary Lanes Segment 1, University to Marsh Road (CMIA)	9,172	9,172						
Caltrans	101	658C	Auxiliary Lanes Segment 2, Embarcadero to University (CMIA)	5,049	5,049						
SMCTA	101	702A	US 101/Broadway Interchange	23,218	4,218			19,000			
Caltrans	82	645C	Menlo Park-Millbrae, interconnect signals, phase 2	7,331	7,331						
SMCTA	101	690A	US 101/Willow interchange reconstruction	28,951	2,509	4,500	1,471 20,471		20,471		
Caltrans	92	669B	SR 92 Slow Vehicle Lane Improvements (grf)	13,563	1,023				12,540		
Caltrans		0700C	Aux Lane Landscaping #700B- 2-yr plant establishment	33		33					
SMCTA/ Pacifica	1	632C	SR 1 Calera Parkway - Pacifica	6,900				6,900	6,900		
SMCTA/ Pacifica	1	2140H	Hwy 1 San Pedro Creek Bridge Replacement	3,000		3,000					
San Mateo	92/82	New	Phase 1 of SR 92 Improvement from I-280 to US 101 - Construction of Operational Improvement at the SR 92/El Camino Real Interchange - New	5,000							5,000
SM C/CAG	92	New	Phase 2 of SR 92 Improvement from I-280 to US 101 - Environmental Study for Improvement at the SR 92/US 101 Interchange Vicinity - New	2,411						2,411	
SM C/CAG	VAR	2140E	Countywide ITS Project	4,298			1,977		4,298		
SM C/CAG	VAR	2140F	Smart Corridor Segment (TLSP)	10,000	10,000						
SM C/CAG	VAR	2140F	Smart Corridor Segment (STIP) - Segment 3 to Santa Clara county line	12,977	11,000		1,977				
			SUBTOTAL - HIGHWAY (2012/13 thru 2016/17):	89,007							
JPB		2140J	CalTrain San Bruno Ave Grade Separation (HSRCSA)	19,203	19,203						
BART		1003J	Daly City BART station improvement, elevator, lighting	900		200	700				
			SUBTOTAL - PTA ELIGIBLE (2012/13 thru 2016/17):	900							
SM C/CAG			TE Reserve	5,964	200	1,000	1,000	745	2,490	1,146	1,128
SM County			TE funded - County of San Mateo Bike lane (C/CAG TOD commitment)	200	200						
San Bruno			TE funded - City of San Bruno ECR median (C/CAG TOD commitment)	779	779						
Half Moon Bay			TE funded - City of Half Moon Bay, Rte 1 landscaping	223	223						
Brisbane			TE funded - City of Brisbane Bayshore bike lane	803	803						
MTC		2140	Planning, programming, and monitoring	382		60	60	62	64	67	69
SM C/CAG		2140A	Planning, programming, and monitoring	2,378		690	353	353	355	165	462
			Grand Total:	78,485		9,483	4,561	26,315	27,678	3,789	6,659

C/CAG AGENDA REPORT

Date: September 26, 2011

To: Congestion Management and Environmental Quality Committee (CMEQ)

From: Joseph Kott

Subject: Draft Commuter Pre-Tax Benefits Model Ordinance

(For further information or questions contact Joseph Kott at 650-599-1453)

RECOMMENDATION

Review a draft Model Commuter Pre-Tax Benefits Ordinance (Attachment A).

FISCAL IMPACT

None.

SOURCE OF FUNDS

N/A

BACKGROUND/DISCUSSION

A prospective Model Pre-Tax Commuter Benefits Ordinance requiring employers with 100 or more full-time employees to offer a pre-tax commuter benefits program to encourage employees to use public transit or vanpools. In San Francisco, a similar ordinance covers employers with 20 or more full-time or part-time employees. Creation of a pre-tax commuter benefits program under existing Federal Tax Law 132(f) allows employees to use up to \$230 per month in pre-tax wages to purchase transit passes or vanpool rides. The public policy benefits of a Pre-Tax Commuter Benefits Ordinance include potential vehicle trip reduction during peak commuter periods, provision of more affordable travel choices to those who work in San Mateo County, resulting in greater use of public transit as a commuter alternative, and potential reduction in energy consumption and air emissions during peak commuter periods.

Christine Maley-Grubl of the Peninsula Traffic Congestion Relief Alliance and C/CAG CMEQ Committee member Jim Bigelow, conducted extensive outreach to local business groups to inform them about pre-tax commuter benefits programs and to receive input. The results were encouraging. Based on the positive feedback from the business community, and recognizing the potential for carbon emissions reductions based on a proactive program that provides tax benefits for both employers and employees, staff proposes a model Pre-Tax Commuter Benefits Ordinance for employers of 100 employees or more in San Mateo County.

Staff welcomes comments from the CMEQ Committee on all aspects of the draft Model Ordinance, including the minimum threshold employee number of 100 full-time employees.

Alternative ways to set this threshold include stipulating the employee threshold as 100 full-time equivalent (FTE) employees. Or the full-time or part-time status could be disregarded and the threshold set simply as 100 employees. OR the 100 number, however employees are defined, could be adjusted upward or downward to suit public policy purposes.

NEXT STEPS

Staff will receive comments on the draft Model Pre-Tax Commuter Benefits Ordinance from both the C/CAG CMEQ Committee and the business community in San Mateo County. Based on the feedback received from these groups, staff will prepare and recommend a final Model Pre-Tax Commuter Benefits Ordinance for consideration of the C/CAG Board of Directors later in fall. The C/CAG Board will be asked to endorse the Model Ordinance and direct staff to transmit the document to each local jurisdiction in San Mateo County.

ATTACHMENTS

- A. Draft Model Pre-Tax Benefits Ordinance

ATTACHMENT A

1 [Commuter Benefits]

2
3 **Ordinance adding Section ____ of the ____ Code to require City of _____**
4 **employers to offer commuter benefits to encourage employees to use public transit or**
5 **van pools;**

6 Be it ordained by the People of the City of _____:

7 Section 1. Findings. The City Council hereby finds and declares:

8 (a) _____ is committed to protecting the public health, safety, welfare
9 and environment. Air pollution is one of the major public health threats in _____ and
10 contributes to asthma and other respiratory diseases. Encouraging commuters to use public
11 transit and vanpools to reach their place of employment will reduce air pollution from private
12 cars.

13 (b) Existing Federal Tax law, Internal Revenue Code section 132(f) allows
14 employers and employees to reduce the cost of public transit by enabling employers to deduct
15 employer-provided transit benefits as business expenses, or by allowing employees to elect to
16 purchase qualifying transit passes or vanpool rides with pre-tax dollars.

17 (c) The County of San Mateo currently partially subsidizes its 5,300 employees to
18 purchase qualifying transit passes and van pool transit through an Internal Revenue Code
19 section 132(f) qualified Transit Benefit Program.

20 (d) The Peninsula Traffic Congestion Relief Alliance can assist employers in
21 offering commuter benefits through education and information provided through phone
22 consultation or onsite outreach, and other technical assistance.

23 (e) Commuter benefits programs will help the City of _____ achieve its goal to
24 reduce greenhouse gas emissions within the city to 1990 levels by the year 2020 per State
25 Assembly Bill 32.

SEC. ____ . COMMUTER BENEFITS PROGRAM

(a) Definitions.

Whenever used in this Section, the following terms shall have the meanings set forth below.

"Alternative Commute Mode" shall mean public transit (bus, train, ferry, etc), vanpool, carpool (Including "casual carpool"), bicycling, and walking.

"Covered Employee" shall mean any person who is on their respective employer's payroll, working in a full-time capacity. Employee shall further be defined as any person who is entitled to payment of a minimum wage from an employer under the California minimum wage law, as provided under Section 1197 of the California Labor Code and wage orders published by the California Industrial Welfare Commission.

"Covered Employer" shall mean any person, as defined in Section 18 of the California Labor Code, including corporate officers or executives, who directly or indirectly, or through an agent any other person, employs or exercises control over the wages, hours or working conditions of one hundred (100) or more employees who work at or out of a location within the City of _____, including those who perform work outside the geographic boundaries outside the City of _____.

"Transit Pass" shall mean any pass, debit card, transit smart card (e.g., Clipper Card), voucher or similar item entitling a person to transportation on public transit, including but not limited to, travel by bus, light rail or train by MUNI, BART, CALTRAIN, or SAMTRANS.

"Vanpool" shall mean any highway vehicle:

(1) the seating capacity of which is at least 6 adults (not including the driver), and

(2) at least 80% of the mileage use of which can reasonably be expected to be-

(A) for the purpose of transporting employees in connection with travel between their residences and their place of employment, and

(B) on trips during which the number of employees transported for such purposes is at least ½ of the seating capacity of such vehicle (not including the driver).

(b) Transportation Benefit Program

No later than _____ days after the effective date of this Ordinance, all Covered Employers shall provide at least one of the following transportation benefit programs:

(1) A Pre-Tax Election: A program, consistent with Section 132 of Title 26, United States Code, that offers employees the option to elect to exclude from taxable wages and compensation, employee commuting costs incurred through the use of public transportation or vanpools, up to maximum level allowed by federal tax law, 26 U.S.C. 132 (f)(2), which presently is two hundred and thirty dollars per month (\$230);

(2) Employer Paid Benefit: A program whereby the Covered Employer supplies a transit pass or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of a monthly SamTrans bus pass, which presently is \$64, for the public transit system requested by the employee; or to reimburse vanpool charges; or

(3) Transportation furnished by the employer at no cost to the employee in a vanpool or bus, shuttle or similar multi-passenger vehicle operated by or for the employer.

(c). Administration and Compliance

(1) The Peninsula Traffic Congestion Relief Alliance shall alert employers that fall under the category of Covered Employer, that they will need to offer this program per their cities' ordinance code.

(2) The Peninsula Traffic Congestion Relief Alliance shall maintain an education and advice program to assist employers with meeting the requirements of the Commuter Benefits Program. The Alliance will also outline other commuter support options such as the Guaranteed Ride Home Program and the Shuttle Bus service.

APPROVED AS TO FORM:
_____, City Attorney

By: _____